

MASTER PLAN AMENDMENTS PUBLIC HEARING (13 DECEMBER 2011)

Text #1

Jack Stewart, of 630 Julia Street, representing the Lafayette Square Association and the applicant of text amendment one, stated that "shall be followed" should be added to the title of the text box for the rail and BRT best practices. He thought that while it should be obvious that the best practices should be followed, some people thought otherwise. He said that the text "shall be followed" would "beat them over the head with a hammer a little bit more."

Text #2

Susan Klein, of 1020 Toulouse Street, spoke to reaffirm the amendment application as submitted.

Text #3

Darryl Malek-Wiley, of 716 Adams, voiced support of this amendment.

Text #7

Troy Dupuis, of 1111 South Peters Street, representing the Warehouse District Neighborhood Association, stated that parking meters had been placed in the residential areas of the Warehouse District. He said the purpose of his amendment request was to change the way the mixed-use designated area was treated when it came to the installation of parking meters. He felt that the area should be treated as a residential area, and as such, any attempt to install parking meters would be subject to a more stringent evaluation process and would give the residents more opportunity to speak out for or against the installation.

Text #8

Jack Stewart, of 630 Julia Street, representing the Lafayette Square Association, said that he objected to the use of the phrase "higher density" when describing transportation nodes in Recommended Action item 1 under Strategy 2.B in Volume 2, Chapter 11 of the Master Plan. He felt that the phrase "high density area" was often mistaken for "high rise area" and should be clarified. He also felt that the phrase "done in a way that will be in character with the neighborhood," from the suggested text in this amendment was too vague. Mr. Stewart said that any changes made to the neighborhood could be justified by stating "the grid system was the character of the neighborhood." Because of this, he wanted stronger language that was less vague. He felt the current suggested language was ambiguous and possibly dangerous. Mr. Stewart also commented on the third part of this text amendment which would allow the City to amend the Master Plan out of cycle. He likened this language to running a bulldozer through the Master Plan process by allowing the City to do something that would normally require input from both the City and its citizens. He also noted that the request would be in conflict with the City Charter and be illegal.

Susan Klein, of 1020 Toulouse Street, representing French Quarter Citizens and VCPORA, wanted to reaffirm the comments made by Jack Stewart and the comments that would later be made by Bill Borah. She stated that item #8.3 undermines the Master Plan and should be denied. She also stated that, in regards to the transportation nodes being described as higher density, more clarification was needed so that the high density is not confused with high rise.

William Borah, of 533 Esplanade Avenue, read from a prepared statement (attached). Mr. Borah ran out of time and was asked if he was reading from his submitted comments. Mr. Borah responded in the affirmative. Chairman Mitchell then asked Mr. Borah to summarize his comments and assured him that his submitted written comments would be read. Mr. Borah stated that public officials and private citizens are required to follow the Master Plan and that there are no exceptions. He said to do otherwise is not only a contravention of law, but is also a contravention of the ethics and movement of all those involved in the master planning process.

Troy Dupuis, of 1111 South Peters Street, stated his agreement with the previous speakers regarding part three of text amendment eight. He also agreed that high density declarations could be interpreted as high rise buildings.

Text # 9

Lydia Jemison, of 1350 Port of New Orleans Place, stated that she represented the Port of New Orleans. She said that the Port had initially requested several amendments in May and had subsequently amended its request in August. She then said that a special transformation had begun to occur recently in the area around the northwest portion of the Industrial Canal. She said that this area could accommodate restaurants and marinas in the future and that the Port wanted to encourage this type of development. She said that the current Mixed Use maritime land use designation in the Master Plan included language pertaining to single-family residences and specific geographic areas in other parts of the city, which the Port felt was inconsistent with its goals for the subject area. She said that the request had evolved since the time it had been submitted. She said that this was the reason the Port was requesting a new Mixed Use Maritime Commercial designation. She concluded by saying that the Port would like to work with the Commission's staff to achieve its vision for the area in the most appropriate way.

Shea Embry, of 3925 Burgundy Street, said that she would like to support the comments made by Ms. Jemison. She said that the City should support any chance to increase density.

Darryl Malek-Wiley, of 716 Adams Street, said that he would like to be involved in any future meetings to discuss this request.

Scott Shenck, of 6001 France Road, said that he was in support of the request. He read a letter from the Gentilly Civic Improvement Association which was also in support of the request. He said that the new land use designation would encourage investment. He said that he would like to continue to work with the staff to craft appropriate zoning districts to implement the vision of the Port for the area. He then said that the entire area that was initially included in the request should be considered for inclusion in the amendment.

Sheila Hyde Brown, who did not provide her address, said that she was a resident of Pontchartrain Park. She said that she supported the request. She said that Pontchartrain Park was the jewel of the Gentilly neighborhood. She concluded by saying that the residents had a vision for the area.

Text # 13

Jack Stewart, of 630 Julia Street, said that the purpose of the request was to provide some guidance for height restrictions in the Central Business District. He said he and others had spent a considerable amount of time working on the Upper CBD height study and that he would like to see it included in the Master Plan.

Troy Dupuis, of 1111 South Peters Street, said that he agreed with the statements of Mr. Stewart. He said he had worked on the Upper CBD Height Study and that he would like to see it included in the Master Plan.

Text #14

Yvette Jones, Tulane University, of 6823 St. Charles Ave., noted that representatives of a number of universities were present as well. She thanked the staff and noted that the Master Plan document is critical to the city's future. She stated that other university representatives joining her at the hearing all share several central recommendations. She wanted to make certain that all understand the economic importance of universities, and that universities are part of the economic backbone of New Orleans. She said that Tulane is the largest private employer in the city. Together, all New Orleans based universities employ 15,000 people with a combined enrollment of 63,000 students. She noted that these local universities are hubs of innovation and flexibility, and help to create an environment that provides opportunities for graduates to stay in New Orleans.

She noted that they strongly support the Master Plan, but believe it is too specific in some areas. She noted that the suggested amendments support the spirit of the plan, while removing some specificity in allowing for growth and development of institutions. She noted the text amendments are geared to:

- Strengthening and preserving higher education as an established employment center.
- Adoption of policies and promoting funding that support the institutions.

She reiterated support for the Master Plan, and noted that she wants the plan to recognize the significant impact that the sector has on the city and support their development.

She said that the amendments are mainly corrections to the Future Land Use Map that respect current property boundaries while preserving development rights of these properties. Chairman Mitchell then asked if other university representatives would speak as well.

Marion B. Bracy, #1 Drexel Drive, of Xavier University, stated that he stands in support of the text amendment proposed by Tulane. He noted that the universities met as a group, and that these are essential changes. He notes that the changes support the educational and economic impact of the universities, collectively and individually.

Commissioner Volz asked Mr. Bracy for an example of a text change that would support the universities. Mr. Bracy noted that one change creates more of a "box" category for universities, like a large development or store. He noted another example about uses and design within the inner borders of a university, noting concern that dictating what happens within the borders of a university and how they should develop could be a conflict.

Tommy Screen of Loyola University, 6363 St. Charles Ave., noted that he is also a new member of the Board of Zoning Adjustment, and appreciated the two-minute speaking rule. He said he endorses what Yvette Jones said regarding the economic impact of the universities on the city, and that Loyola endorses the amendments submitted. He noted that Loyola had \$38 million in capital projects this past year, with another \$85 million coming online over next three years. He said that Loyola has 5,100 students and employs 1,150 employees.

Chairman Mitchell asked if the amendments are basically meant to address the ability of a university to control its own destiny within its own parameters. Mr. Screen said he did not want to speak for the other universities, but that was his understanding, though he has not been part of the meetings with other universities up to this point.

Chip Leyens, 201 St. Charles Ave., on behalf of Tulane University, noted that the proposed amendments focus on recognizing higher education as an economic industry to preserve and expand, as other industries are recognized in the plan. He said that universities have significant economic impact and that he wants to see that recognized in the Master Plan. He also noted that of other text amendments proposed by Tulane, some are clerical, and other substantive ones that address what the plan says about adopting specific curricula. He noted that the universities want flexibility so that they can do what they think is best in terms of undergraduate and graduate programs.

Susan Krantz, University of New Orleans, 2000 Lakeshore Dr., noted that she is in support of the concept in the amendments regarding higher education as an industry. She noted that universities are massive employers and produce a workforce, and therefore want to be considered a business and industry.

Maura Sylvester, 44 Audubon Blvd., a member of the Audubon Blvd. Association, asked for denial of the proposed change in Volume 2 Chapter 9 to include higher education as an industry to preserve and expand. She noted that the leeway granted to the universities with this change would be detrimental to surrounding neighborhoods. She also stated her opposition to the proposed new Tulane stadium project, and noted that any text amendments that would impact the stadium building are inappropriate due to lack of public hearings on this matter and lack of details released. She asked the CPC to review the text amendments in view of the proposed new stadium project, and reject any changes that would impact the uptown area due to this project.

Text # 15

Sue Klein, of 1020 Toulouse Street, stated that the change would bring the Future Land Use Map into compliance with the text that had been proposed. She said that she had worked with the staff.

Text #17

Jack Stewart, of 630 Julia Street, stated the amendment request submitted by the Regional Transit Authority was four pages of suggestions that were not fully fleshed out. He felt that much of what the RTA wanted to amend were items that were more akin to new articles and didn't really belong in the Master Plan in the first place. He had issue with the RTA wanting to remove conceptual rules on transportation best practices in the City's Master Plan. He said that the RTA wanted these conceptual rules to be discussed between the RTA and its stakeholders. He also felt that the RTA didn't listen to what 99% of the RTA's stakeholders said. He said that the RTA did not pay attention to its own master plan, which he felt was very good, and should therefore be subjected to the City's Master Plan.

Shea Embry, of 3925 Burgundy Street, said that enforcement has been an issue with RTA on many aspects, and that their amendment request was essentially a way for the RTA to find a way of not being accountable to the Master Plan and the Transit Best Practices listed within. As such, an appropriate response by the CPC should be to require the RTA to adhere to the best practices from the Master Plan in its operation and construction work.

Susan Klein, of 1020 Toulouse Street, made a statement in support of the previous two speakers' comments. She said that North Rampart Main Street, Inc. is recognized by the RTA as a community liaison and is still left in the dark often and that there isn't a lot of transparency when it comes to dealing with the RTA. She said that North Rampart Main Street feels strongly that the RTA's request, with regard to the Best Practices in particular, should be denied.

Text #19

Keith Twitchell, of 3023 Ponce De Leon Street, stated he did not understand why this amendment was proposed. He said the amendment would move reference to District Councils from Chapter 15 of the Master Plan, regarding Community Participation Program. He stated that an enormous amount of work went into preparing this chapter and consensus was achieved in including that within the chapter. Mr. Twitchell also stated that the amendment ignores reality on the ground since more than half of the city has the equivalent of these District Councils, whether it's Gentilly Civic Improvement Association in District 6, Algiers Council of Neighborhood Presidents, ENONAC in the East and Carrollton Area Network (Uptown).

He said that the above organizations have grown organically within the City, and hopefully as the Participation Plan moves forward, the District Councils will be a part of the structure. Mr. Twitchell stated that he doesn't understand why something could be removed that was agreed upon by so many people and already exists in the City.

Nick Kindel, of 4902 Canal Street, Suite 300, stated he would like to reiterate what Keith said earlier about District Councils being here (in the City) growing organically. Mr. Kindel wanted to point out that District Councils are something that is used in citizen or community participation nationwide and that it is a best practice to include District Councils. He also pointed out that master plan (text) amendment submitted by the Office of Neighborhood Engagement (ONE) recommends a specific change in Volume 3, Chapter 15 and Volume 2 proposing specific language changes that cannot easily be transferred from Volume 3 to Volume 2. Mr. Kindel expressed his concern as to how the CPC would address this situation and needs to be considered in the review of this amendment.

Chairman Mitchell asked Mr. Kindel for his opinion, since attending the majority if not all of the meetings, if the Planning Commission is appropriately staying abreast on what is going on with the development of Neighborhood Participation Program (NPP). Chairman Mitchell clarified his inquiry by asking Mr. Kindel if he felt comfortable with the direction CPC is heading. Mr. Kindel responded, "Yes and No." He believes that the CPC is making progress towards working on the NPP but that there is more that could be done by the CPC. He stated that the NPP focus is on the internal, inside City Hall stuff; however, the CPC and ONE should look at the external pieces to see that neighborhoods have the resources that they need, building capacity within neighborhood associations, how to improve communication between government and neighborhood associations and making sure that neighborhood associations have the resources available to help them understand what they are asking for (from the government). He gave the example that in working with the average neighborhood residents, many don't understand the difference between a conditional use, zoning change and variance. He stated that there needs to be resources available for those neighborhood associations to help guide them through the process.

Future Land Use Map requests:

PD 1-1.R

Jack Stewart, of 630 Julia Street, stated that this request was the same as that which had been discussed in the related text amendment proposal. He said that the request would help to eliminate conflict about height limits in the Lafayette Square and Warehouse District areas.

Troy Dupuis, of 1111 South Peters Street, said that he agreed with the proposed changes. He said that a lot of work had gone into the Upper CBD Height Study.

PD 1-2.R

Sue Klein, of 1020 Toulouse Street, stated that this was a request to implement the proposed Future Land Use Map categories for the Vieux Carré which had been discussed earlier as part of the proposed text amendments.

PD 1-3.R

Chip Leyens, of 6823 St. Charles Avenue, stated that this request covered buildings where Tulane University was currently providing research, medical, and related facilities. He said that a change from Downtown Mixed Use to Mixed Use Health/Life Sciences was therefore justified.

PD 1-4.R

Lydia Jemison, of 1350 Port of New Orleans Place, said that this request was for the Governor Nicholls and Esplanade Avenue Wharves. She said the wharves were occupied by industrial uses and that the Future Land Use Map designation should be changed to Industrial to make the ongoing and future use of the properties consistent with the Master Plan.

David Peltier, of 1319 Decatur Street, stated that two years ago the Port of New Orleans had attempted to relocate a chicken plant to the subject location. He said that the Port now was requesting to designate the site for maritime use in the future. He then said that the site was located at the most dangerous point in the Mississippi River. He closed his remarks by urging the Commission to retain the current designation of Parkland.

Mary Ann Hammett, of 816 Clouet Street, stated that she supported Mr. Peltier's comments. She said that the use of the site for meat storage could cause a great problem if another hurricane were to strike the city and cause a loss of power for several days, as had occurred following Hurricane Katrina.

Darryl Malek-Wiley, of 716 Adams Street, said that he was opposed to the proposed change. He said that he supported retaining the designation that had originally been adopted by the Commission, which was for the site to be provided as open space.

PD2-5R

Lydia Jemison, of 1350 Port of New Orleans Place, stated that she represented the Port of New Orleans. She stated that this site includes the Robin Street Warf and the former River City Complex, which currently houses Blaine Kern's Mardi Gras World and an inactive ferry terminal. The Port is requesting that the site be designated Industrial so that it can be used for maritime purposes.

PD3 -4.R

Rich Richter, no address given and an attorney representing the owner, stated that the riverside of Tchoupitoulas from Childrens Hospital to downtown is industrial, mixed-use, or commercial with exception to three (3) squares. The adopted designation of Pre-War Residential Low Density is incorrect as the entire balance of Tchoupitoulas is not residential and the designation out of character. The property, said Mr. Richter, comprises 13 buildings owned by State/Tchoupitoulas LLC and are 68 units of low income multifamily. Current zoning is MS. He proposed Mixed-Use Medium Density to:

- Keep with the changing character of Tchoupitoulas
- Keep with current zoning geared toward medical services

He said that if the FLUM is not changed, then the property is non-conforming, the avoidance of which is one of the central purposes of the FLUM.

Peter Zengel, of 5958 Annunciation St., stated he is a resident of the area. He said the tendency of commercialism is to invade the nice, quiet neighborhood. He said further commercialization would erode the residential quality.

PD3 -6R

Karen Duncan, of 909 Eleonore St., stated that she is the president of the Upper Hurstville Neighborhood Association. She said the Master Plan designates the site as high density Institutional. She said the site is traditionally low density with a lot of green space in a highly desirable neighborhood. She said the Institutional designation is inconsistent with the goals of the Master Plan whereby the site would increase density in the neighborhood and destroy the character. She said that to use the site as a traditional hospital would increase traffic in a quiet neighborhood and the streets cannot support the additional traffic. She said it would adversely affect the public's use of Audubon Park, and increase density and reduce value of neighborhood properties. Ms. Duncan said that she is not opposed to redevelopment, as stated in the letter sent to the CPC, but wants to maintain low density open space, account for the many Live Oaks on the site, request a customized zoning for the site, and maintain the existing non-conforming use. Ms. Duncan also stated that her request is also supported by the two adjacent neighborhood organizations.

Jay Seastrunk, of 919 Henry Clay Ave., used a presentation with time deferrals from John Sear (1310 Henry Clay), Kathleen Sear (1310 Henry Clay), and Bruce Worley (1135 Henry Clay) for a total of eight (8) minutes.

Presentation:

- Existing Zoning of RD-2
 - Special zoning to allow existing non-conforming of a hospital for over 10 years
- Allows for development but requires the Conditional Use process
- History of Site
 - 1883 – Sanitarium (6 squares of open site)
 - 1908/1909 – Large building on one square with remainder relatively open
 - 1951 – Large Building with six (6) story towers
 - 1950's to 1970's – Some additional buildings have been built on the square, but still a large amount of green space surrounded by a brick wall.

Mr. Seastrunk projected the FLUM for additional examples of Institutional uses in the Uptown area:

- Touro Hospital
 - Massive complex, very dense

- Surrounded by parking and accessory development
 - Vacant and blighted property surrounding the site
 - Area not used well
- Baptist
 - Heavily dense site with lots of surrounding vacant land
 - Properties have been demolished around the site to make land available for future expansion
- Childrens Hospital (riverside)
 - 400,500 sq. ft. on 7 acres
 - 10 acres of surface parking along the levee
 - Heavily dense site
- LSU Health Services Center – Uptown Campus
 - Lots of green space
 - Questions Institutional designation, but that is not the focus of this presentation
- DePaul site
 - Three (3) squares of green space with two (2) 5 or 6 story towers surrounded by a brick wall
 - Other three (3) squares against Audubon Park with limited development
 - The use has always been mental health
 - Current zoning speaks to mental health as the use
 - Currently a benign neighbor and not a lot going on to impact the neighborhood, however if it becomes highly dense with zoning as a medical campus then it has the potential building area of 2.5 million sq. ft.
 - Doesn't expect that will happen anytime soon, but density could creep as revised site plans develop every few years
 - Would also allow for additional uses other than current use of the site as a quiet mental health facility
- Hainkel Elderly Care Center
 - Low density pre war on one (1) square
- St. Claire Monastery
- The two (2) Institutional uses (Childrens and DePaul) in such close proximity will affect all streets from St. Charles to Tchoupitoulas by:
 - Increased Traffic (main concern for Institutional Designation)
 - Increased density that the area can't support (main concern for Institutional Designation)
 - Increased density may affect the park
- Consistency Table for Institutional is very inflexible and all high density
- Consistency Table for Low Density Pre War doesn't have anything to accommodate and ask that the site remain existing non-conforming
- Master Plan study for the area does not address the DePaul site

- Master Plan language sections were skipped over by Mr. Seastunk due to time constraints but will be sent in to the CPC.

In summary, Mr. Seastruck stated that he supports the site remaining Low Density as the site is largely open space with limited density. He said that the site's existing non-conforming should remain until an alternative can be reached by the CPC.

Glenn Adams, of 6039 Pitt St., stated that she is a representative of the Audubon St. Neighborhood Association. Mr. Adams requests a FLUM change to Low Density Mixed-Use. He acknowledges that the site has always functioned as a mental health institution but has always been a "low-key" neighbor with historically low traffic. He said the new Master Plan designation has the potential to drastically change the neighborhood and use. Mr. Adams would like to leave the site as residential so owners would have to come to the neighborhood to negotiate the density of uses. He said the site is a "low-key" neighbor and the surrounding area wants to keep it that way. Mr. Adams supports a FLUM change to residential.

Henry O'Connor Jr., of 6262 Prytania St., is an attorney involved in real estate law for a majority of his career specializing in land development. Mr. O'Connor states that the name change is a change on the dynamics controlling this property in the future. He stated that to leave as a non-conforming use in the residential low density area would require development to come to the neighborhood. He said that if the site is named Institutional, then the posture of the existing relationship between owner and neighborhood changes. He said a name change to Institutional gives the owner all the entitlements under that designation including future zoning and the situation is reversed. He said the owner could do anything under the Institutional designation and it's the neighborhoods problem to protect its own interest. Mr. O'Connor posed the question: do you really want to change the neighborhood dynamics just to change a FLUM name?

Jim Eugee, of 1207 Webster, stated that the Institutional designation is not in keeping with the goal of the Master Plan, which is preserving strong neighborhoods. He said the neighborhood has gone through many changes over the years which have benefited the residential and park area. He said the size of potential buildings is not in character with the neighborhood and park with an approximate 2.5 million sq. ft. of building area. He said the outcome is either: a) the owner needs to seek neighborhood approval; or b) neighbors need to seek owner's blessing to not build to the extreme level. He said institutions grow as seen in other Uptown examples. He said the current site fits in, but a change would be detrimental to the neighborhood.

Spencer Murphy, of 1204 Henry Clay, said he is an immediate neighbor of the DePaul site. Mr. Murphy states that the site can only be accessed two (2) ways: straight-up Calhoun which is a one-way street or turning around at his property to access the Calhoun entrance. He said DePaul is currently a good neighbor, but current infrastructure is strained. He also said that a traffic camera on Calhoun currently fires off every 30 seconds. Mr. Murphy said that activity has gone up significantly post Katrina on Henry Clay as part of the growth in the neighborhood (which is fine), but turning DePaul into a full scale Institution would out-strip the neighborhood. He said the Calhoun entrance is not only the main entrance for DePaul but also an entrance into the park. He stated that the increase of traffic cannot be handled and supported maintaining current use as

non-conforming. Mr. Murphy stated that the Master Plan designations cannot override the needs of the neighborhood.

PD3 -7R

Chip Lyons, of 201 St. Charles Street Ste: 3500, stated that he is a representative of Tulane University. Mr. Lyons states that there are three (3) main areas concerning this request. He said the first is the main Tulane Uptown Campus. He said that Tulane has acquired a number of properties near the campus, some as far back as 70 or 80 plus years. Mr. Lyons said that these properties are used as university offices being a part of the campus. He said Tulane desires to have these properties designated Institutional to be consistent with University operations. Mr. Lyons stated that the second area is Uptown Square. He said that a portion of this area is owned by Tulane. Currently, stated Mr. Lyons, the Master Plan has three (3) designations applied to the Uptown Square site. He said Tulane believes there should be one (1) single land use classification being Mixed-Use High Density which applies to the current C-2 zoning. He said that the Master Plan has essentially down zoned the property. Mr. Lyons stated that the third area is the former Rohms Warehouse Site along Leake Ave with a current zoning of LI. He said the requested classification to Mixed-Use Medium Density corresponds with existing zoning. He said that Tulane does not agree with the Master Plan down zoning the property.

Maura Sylvester, of 44 Audubon St., requested that the CPC reject amendments PD3-7.3.R – PD3-7-9.R as they are adjacent to or surrounded by a residential neighborhood. In addition, Ms. Sylvester objected to Text #14 change whereby a university becomes an industry. Ms. Sylvester used the example of PD3-7.5.R which is bounded by Broadway, Willow, Audubon, and Plum Streets. She stated that the university does not own the entire block to date but is close. She said that Tulane could eventually redevelop the entire block to build dorms or labs for example. She said that this location needs to be thought about and how the potential growth could affect the neighbors. Ms. Sylvester requested that the CPC remember that this is a neighborhood first and not an extension of the university.

Darryl Malek-Wiley, of 716 Adams, stated that he is opposed to Tulane picking out individual lots to turn into Institutional zoning categories. He said that there is a need for a more detailed discussion and a strong interaction with the community. He said Tulane needs to do a better job of outreaching to the neighborhood before any kind of Master Plan change that is proposed.

PD 4-11.R

Chip Leyens, of 6823 St. Charles Avenue, said that the site was the former Ruth's Chris steak house on North Broad Street and an adjacent parking lot. He said that the site had a conditional use permit for use as a medical clinic. He then said that the proposed designation was more appropriate for the site because it was located at a major intersection.

PD 5-1R

Ray Bergeron, Chairman of the Lakeview Civic Improvement Association (LCIA) Zoning Committee, 6725 Wuerpel St., spoke in favor of the adopted Mixed Use Low Density Future

Land Use designation. Mr. Bergeron stated that his organization tried for four (4) years to change this area to commercial. He said that there is commercial development going on and he supports the current designation.

Bill Argus, member Lakeview Civic Improvement Association Zoning Committee, 6561 Catina Street spoke in favor of the adopted Mixed Use Low Density Future Land Use designation. Mr. Argus stated that would like to see the Mixed-Use FLUM designation maintained because it allows residential and commercial with an appropriate residential scale. He stated that parking is a big concern for the neighborhood, but that he thinks it could be handled by making sure that any development would have to maintain and follow the parking regulations.

PD5-2R

Ray Bergeron, Chairman of the Lakeview Civic Improvement Association (LCIA) Zoning Committee, 6725 Wuerpel St., spoke in favor of the request. Mr. Bergeron stated that the extension of the commercial designation to W. Harrison Avenue at Bellaire Drive is also supported by the LCIA Zoning Committee.

Bill Argus, member Lakeview Civic Improvement Association Zoning Committee, 6561 Catina Street, also stated support for the extension of the commercial designation to W. Harrison Avenue at Bellaire Drive.

Gerard Discon, 131 Airline Dr., Ste 201, Metairie, La., spoke in favor of extending the W. Harrison Avenue Neighborhood Commercial designation to Bellaire Drive. Mr. Discon represents the applicant requesting the change from Post War Single-Family Residential to Neighborhood Commercial for property on the corner of Harrison Avenue and Bellaire Drive. He noted that his client's property is the only property that fronts W. Harrison Avenue that does not have a Neighborhood Commercial designation. He stated that LCIA is in favor and all the neighborhood residents that he has spoken with are in favor.

PD 6-3.R

Lydia Jemison, of 1350 Port of New Orleans Place, said that this request was for the site located along the Inner Harbor Navigation Canal. She said that the text amendment request had been revised as she had mentioned previously. She said that the site could become a pilot area for a new type of recreational maritime development. She said that the Port would like to work with the City Planning Commission and its staff to find the best way to provide for the redevelopment of the area.

PD 7-1.R

A.J. Capritto, of 2619 St. Roch Avenue, stated that he owns the property, which is currently leased to a company that fabricates barbecue grills. He said that the property has always been used for fabrication of some product or another. He was worried that under the present plan, his property will become a non-conforming use. He is requesting that the plan be changed to one of the less restrictive commercial designations in order to prevent a non-conforming use situation.

He stated that because portions of the property were taken to allow for an elevated roadway and a billboard, the property is not conducive to another use other than what is currently there.

PD 7-2.R

Mark Gonzalez, of 3106 Dauphine Street, said that he is speaking on behalf of over 250 people residents of Bywater who had signed a document submitted to the Director of the City Planning Commission explaining why they wanted to preserve the Residential Low Density land use designation. He stated that the submitted document was not merely an opinion, but a well thought out, well-reasoned argument. He reiterated that over 250 people had signed the document and that they are diametrically opposed to what the Bywater Neighborhood Association had proposed and went on to say that the BNA does not represent the neighborhood in this situation. He added that many more people are opposed to the proposal than those who are in favor. He said that when this issue was last brought up to the neighbors through the BNA, the BNA refused to let it be brought up for a vote and that it was met with strong opposition. He then said that this was more than just changing the word "low" to "medium", this change had dire ramifications for the future of the neighborhood. He then said that he was in fact in favor of growth and change such as the Arts Lofts and the Rice Mills developments.

John Andrews, of 819 Lesseps Street, stated that he has lived at his current address since 1974. He has been a member of the BNA since its first meeting in 1975, and he served on the board of the neighborhood association for 32 years. He spoke in opposition to the new board's desire to increase density and commercialism. He mentioned the CPC's own findings that one third of the neighborhood is single family and that the other two thirds have been shown to be low density. He said that only three squares of the entire neighborhood are medium density. He then said that over the past 20 years, 126 doubles have been converted to singles with four of these conversions occurring this year. He said this is in addition to the homes that were originally built as singles. Mr. Andrews stated that recent new construction has reflected this trend towards lower density. He said that recent counts show four (4) large, two (2) story single family homes and two (2) doubles built by an investor after the storm. He mentioned Faubourg Marigny's amendment request to move to lower density. He then asked when real estate trends and the wishes of the residents of the neighborhood both point to low density, why would the City want to force higher density? He mentioned the BNA's desire to increase population and how the BNA hasn't mentioned how a change in density will accomplish this. He said that the Bywater is already built and there are about seven (7) standalone buildable lots on the river side of St. Claude Avenue. He said that, of these, four (4) are used as side yards and will probably never be built on. He said this leaves only three (3) lots on which builders could benefit from increased density by being allowed to build triples of four-plexes. He said there are also several larger parcels that are zoned for larger development, and could be successfully redeveloped into larger complexes, such as the Arts Lofts and the Rice Mill without blanketing the entire neighborhood with increased density. He said there are also very few empty derelict buildings that could benefit from higher density. Mr. Andrews stated that since there are so few empty lots and derelict buildings, the only way that higher density could be achieved is by converting existing singles and doubles into triples and four-plexes. He said this type of development brings on-street parking problems, more congestion and noise. He asked if this is good planning for an historic neighborhood? Mr. Andrews then suggested that the HU-RD2 zoning district would be most

appropriate for the neighborhood as it most closely resembles the current RD-3 zoning. Mr. Andrews stated that the RD-3 zoning is responsible for the positive development of Bywater. Mr. Andrews then spoke in opposition to a change of the mixed-use low density to mixed-use medium density. He said that many of the neighborhood buildings are six feet apart and a change to medium density would encourage larger more intense businesses that would have more negative impacts on adjacent neighbors. He said the present land use should be retained to protect the quality of life for residences while at the same time allowing for small business development. He then posed several questions:

- If increasing densities is such a great idea, why is it the Bywater board is the only organization in the entire city requesting this type of blanket land use change?
- Why is it that no other neighborhood is asking to have their densities increased?
- Why is it that Bywater's sister neighborhood, Faubourg Marigny, has asked to have its density decreased?

He concluded in stating that forcing increased densities in historic neighborhoods in order to keep investors and developers happy is a bad idea.

Anthony Eschmann, of 822 Lesseps Street, said he is a lifelong resident of Bywater and thought that people proposing for an increased density are misguided. He mentioned that much of what he wanted to say had already been said. He said other neighborhoods are requesting lower density and he didn't understand why the BNA was requesting higher density. He said that the BNA doesn't represent him or the 250 people who signed the submitted petition. He said that cutting up singles and doubles would destroy the architecture of the neighborhood and the cost of adding on to a house in an attempt to increase income is difficult to recoup. He mentioned electricity supply problems, saying Bywater routinely loses power, even on clear days. He said that at a BNA meeting, most people were opposed to increasing the density, but the board has decided to overlook that.

David Peltier, of 817 Montegut Street, stated that he is a strong advocate of low density and is opposed to the requested medium density. He said that the higher density was proposed by a small group of people. He said that Bywater has moved naturally to lower density, noting that his own home once had twelve people in it and now has two. He said that around the corner from him, two (2) houses have been converted from doubles to singles. He said medium density is not in the best interest of Bywater as it is unique and he would like to preserve that. He said medium density will not bring the neighborhood a grocery store or additional amenities, amenities that the neighborhood in fact already has. He said there are commercial services located throughout the neighborhood. He also noted that the grocery store issue has been partially resolved as a food co-op has opened. He asked to please retain the current density. The CPC Chairperson then asked how the amendment came about. Mr. Peltier replied that some people in the neighborhood had requested it.

Carolyn Leftwich, of 621 Bartholomew, representing Smart Growth Bywater, stated that Bywater is popular and is experiencing a demographic shift that is also being reflected nationally. She said that in 1910, Bywater density peaked at 50 people per acre. She said during the suburbanization of the 60's, people started moving out and now, in Post Katrina Bywater,

there are 12 people per acre. She noted that according to a Tulane geographer, Bywater has plenty of capacity for more people. She said Smart Growth Bywater feels that the key to revitalization is increased density and population. She said the increased density is more economical and is better for the environment. She went on to say that Bywater wants the proposed Desire Streetcar, but federal funding is based on population and potential ridership. She said that Dr. John Renne, of the University of New Orleans, will verify the need for more population in order to get federal funding. She also said that it is possible to mitigate parking problems and the Master Plan addresses these issues.

Mary Ann Hammett, of 816 Clouet, a member of the BNA Board of Directors stated that the BNA requested this particular Master Plan amendment. She mentioned that a Canseco's grocery store did not open up in the area due to a lack of population to support the store. She expressed a desire for more commercial amenities and that in order to get these amenities more population was needed for financial feasibility. She didn't understand why people were objecting to this request.

Shea Embry, of 3925 Burgundy Street, said that planning is not about today, it's about the future. She said that after Katrina, we were advised to build more density on higher ground. She said that Bywater is higher ground. She noted that the BNA and Smart Growth Bywater do tremendous amounts of research and they have plenty of statistics to support their ideas. She then said that she owns three acres of land zoned Light Industrial. She said that the Draft Zoning has reduced her ability to build and is limiting any development to a height of three stories. She said that her riverfront property, with the potential for downtown and river views, will be limited to one (1) floor with actual views. She asked that this limitation please be revisited. She then stated that all the previous speakers spoke in favor of projects like the Bywater Arts Lofts and the Rice Mill Lofts.

Julie Jones, of 827 Louisa, a 26 year resident and a former president of the BNA, said that she was very opposed to the amendment request. She felt that low density is what works best for the neighborhood and the people that want to live in Bywater, not just to make money from it. She noted that in 1910, when Bywater was at its densest, there were very few cars. She said that now the situation is very different as people are addicted to driving. She followed by saying, however, that she is addicted to parking in front of her own house. She said that as a single woman, she doesn't like having to walk blocks at night in order to get from her car to her house. She mentioned the food co-op and also noted that Lakeview has lower density than Bywater and has two (2) grocery stores.

Rick Prince, of 3804 Royal Street, stated that he is a renter and that renters are usually ignored in these situations. He noted the parking problems in Bywater. He also noted that biking is not for everyone and that even though his neighbors bike, they also own cars. He said that he fell in love with Bywater and didn't want to see its charm destroyed by higher density. He also noted that he is in fact friends with those who spoke in favor of the amendment, and that it is a difference of opinion. However, he indicated that only a handful of people shared the opinion that Bywater should be denser, while thousands thought otherwise.

PD 7-3R

Jackson Knowles, of 4200 Dauphine Street, representing the NOCCA Institute, stated that she was just reaffirming support for this amendment.

PD 7-5R

Lydia Jemison, of 1350 Port of New Orleans Place, representing the Port of New Orleans, described the cruise terminal to be built at this location along the Poland Ave. Wharf and mentioned that the cruise industry is wildly successful and also contributes to the success of the tourism industry in New Orleans.

Mary Ann Hammett, of 816 Clouet, said that she wants the cruise terminal, but that she didn't think that an industrial land use designation is necessary, citing the recent cold storage issue in which residents fought the Port over what they felt was a dangerous industrial use along the river that was incompatible with the surrounding neighborhoods.

PD 7-7R

Darryl Malek-Wiley, of 716 Adams Street, representing the Sierra Club, said that he is in support of the cruise terminal, but wanted to see a more restrictive zoning than industrial. He also mentioned the proximity of the Hebert Center and how further discussion on the redevelopment of this area should occur.

Lydia Jemison, of 1350 Port of New Orleans Place, representing the Port of New Orleans, spoke on a number of Port properties. She mentioned that of the nine (9) properties included in the Port's amendment request, four (4) are on the east bank of the Mississippi River. These four (4) are traditional maritime sites and none of them are categorized as industrial. She said that this does not conform to the Cooperative Endeavor Agreement (CEA) that the City executed with the Port concerning riverfront development. She said the CEA mutually agreed upon sites that were maritime and non-maritime and also recognized viable maritime and non-maritime uses. She said the Governor Nicholls and Esplanade wharves were never off the table as maritime uses. She stated that they have always been associated with maritime uses and will hopefully continue to bring commerce to the City.

PD 8 1.R

Darryl Malek-Wiley, 716 Adams St., represented the Sierra Club, the Lower Ninth Ward Center for Sustainable Engagement and Development, and the Citizens Against Widening of the Industrial Canal. He noted that they are not against re-zoning if it is from the levee to the river, but do not want to see industrialized the green space from the top of the levee down into the neighborhood. He noted that that the area is currently heavily used for recreation, and does not want to see the green space from the top of the levee into the neighborhood changed. He said he would submit a document called L-9 Waterfront regarding the community vision. He said they need to talk with the Port regarding the area from the top of the levee toward the river and the

Andry St. Wharf, and that they do not have a problem with that. He does not want to see green space that the neighborhood currently uses taken.

Chairman Mitchell asked who produced the L-9 Waterfront document. Mr. Malek-Wiley responded that it was produced by the Lower Ninth Ward Center for Sustainable Engagement and Development, with help from the LSU Coastal Sustainability Studio. He also noted that he will submit another document regarding the vision for Bayou Bienvenue.

Lydia Jemison, representing the Port of New Orleans, 1350 Port of New Orleans Place, noted that the gentlemen (Mr. Malek-Wiley) would be pleased to hear that the Port has already discussed this with City Planning Commission staff. She noted two (2) active maritime uses on the site – the Alabo St. Wharf and the Andry St. Wharf. Regarding the Andry St. Wharf, she noted that the Port would not have a problem with the crown of the levee continuing to be used recreationally by the neighborhood, as this would not disturb the Andry St. wharf on the batture side. She also noted this is not the case for the Alabo St. Wharf, with warehouses located to the south of the river, and a marshalling yard. She noted it would be dangerous for anyone to be at the top of the levee there with equipment going back and forth. She noted that the Port initially could not tell exactly where the levee boundaries were on the Future Land Use Map, but have now clarified the boundaries. She noted that the Andry St. levee is used by the neighborhood and they have no problem with that, as long as the integrity of the Alabo St. wharf and the warehouses that support it is maintained.

Steve Villavaso, of Villavaso Associates, 6304 Beauregard Ave., stated that the amendment public hearing is not about zoning related issues but about land use classifications.

PD9 -1R

Lydia Jemison, of 1350 Port of New Orleans Place, stated that the site currently houses a rail to truck bulk transfer facility, tank wash for trucks and railcars, and an industrial trucking tenant. She said the existing category of Business Center neither works nor conforms to the existing uses on the site. Ms. Jamison requested that the site be categorized as Industrial.

PD9 -2R

Lydia Jemison, of 1350 Port of New Orleans Place, stated that the site is north of the GIWW. She said that PONO purchased the site in the 1970's as industrial property and that the eastern and western adjacent properties are Industrial. She said that a large Entergy substation is located just east of the site across the Paris Road bridge. She said the site contains drainage infrastructure and is appropriate for industrial development which is the land use category requested.

PD9 -10R

Darryl Malek-Wiley, of 716 Adams, stated that the request is going from Residential Low Density to an Institutional designation. Mr. Malek-Wiley requests a public hearing out in that

area before adopting such a major land use shift as Institutional may not be the most appropriate land use for that site.

PD11 -1R

Lydia Jemison, of 1350 Port of New Orleans Place, stated that the site is on the south side of the GIWW. She said the shipping channel connects Florida to Texas and connects to the inland waterway providing 14,500 miles of inland waterway to support maritime activities. She said the request is to change the FLUM category to Industrial. She stated that PONO purchased the site in the 1970's as Industrial property and requests that the site remain Industrial to support activities along the shipping channel. Ms. Jemison also noted that the public amendment handout was in error and should read a change from Natural Area to Industrial. She said that if the FLUM is not changed, then it takes away all land uses available including maritime.

Darryl Malek-Wiley, of 716 Adams, states that the site is a jurisdictional wetland that is not suitable for Industrial development. He said the Industrial designation would interfere with coastal wetland restoration projects in Orleans and St. Bernard Parishes which is named the Central Wetland Restoration Unit. Mr. Malek-Wiley supports the listing as Natural Area rather than any shift to an Industrial site. He said the site is a swamp area and not a development suitable area.

PD 12 1.R

Lydia Jemison, representing the Port of New Orleans, 1350 Port of New Orleans Place, noted that the site is the former Todd Ship Yard, and contains an active ship repair operation on the batture side, a marshalling yard on Patterson Dr. at Merrill St., and abandoned warehouses to the east of the yard. She said that the plan is to demolish the warehouses over the next five (5) years, and requests the Industrial land use categorization to maintain the viability to service the existing ship repair operations.

Chairman Mitchell asked if the Port was coordinating with the Algiers Development District (ADD) regarding the proposed bike path on the Algiers levee. Ms. Jemison noted that the Port is in contact with the ADD to try to work something out. She noted that the area is fenced off because the ship repair facility uses the levee and crosses Patterson Dr. to service their site, so there is a bit of a conflict with the bike path and the industrial activity. She noted that there are some areas of the river with heavy industrial maritime uses where they do not want to see pedestrians and bicyclists. She mentioned the possibility of the bike path looping around the neighborhood for a short time, and that there is a specific area where the bike path could be resumed. She reiterated that everyone is trying to work something out.

Staff Proposed Map Amendments:

PD 3-72

Jane Appfel, of 903 Eleonore St., stated that she is a representative of the Upper Hurstville Neighborhood Association and spoke regarding staff amendment PD 3-72. Ms. Appfel said that

the staff amendment changes the area now occupied by the Covenant Home at the 5900 block of Magazine Street. She said that the rear section of the property is being changed from Residential Low Density Pre-War to Mixed-Use Low Density. She said that currently, there is a dividing line on the entire property which makes the portion that faces Magazine St. commercial and the portion that faces Camp St. residential. Ms. Apffel requested that the line not be moved to Camp St. and the entire block not be made Mixed-Use Low Density. She claimed that most businesses that front Magazine St. don't abut Camp St, but some examples do exist such as the 3100 block of Magazine St. and Camp St. between Harmony and Pleasant Streets. She said this property was redeveloped as a Walgreens Pharmacy. She said that a zoning line through the middle of the block allowed commercial development along Magazine St. and residential for the Camp St. side. She stated that this division works very well for both the commercial neighborhood and the residential neighborhood it abuts. She said the parking area behind the residential area along with a holly hedge buffer the area and it's a very clean and pleasant looking place for both the neighborhood and the Walgreens Pharmacy. Ms. Apffel has sent a file to the CPC containing a number of pictures that she took along Camp St. where commercial properties abut Camp St. and what happens across the street. Ms. Apffel used the example of Malta Park where the houses across the street had to view a blank wall, an ambulance, and parked cars. She said they built a wall and tall hedges there to screen the view.